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UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF CALIFORNIA

[Sacramento Division]

In re:

PAUL SANDNER MOLLER &  
ROSA MARIA MOLLER,

Debtors.

Case No. 09-29936-C-11

Docket Control No. MHK-4

Date: December 14, 2010

Time: 9:30 a.m.

Dept: C (Courtroom 35)

Hon. Christopher M. Klein

**REQUEST FOR JUDICIAL NOTICE FOR TRUSTEE'S MOTION FOR ABANDONMENT  
OF REAL PROPERTY AND CERTAIN RELATED PERSONAL PROPERTY  
[9350 CURRY ROAD, DIXON, CALIF.]**


Jon Tesar (the "Trustee") hereby requests the court to take judicial notice of the following documents, which are attached hereto as described below and which are incorporated herein by reference:

Exhibit	Document	Beginning Page
1	Schedule A - Real Property	2
2	Relief From Stay Information Sheet	3
3	Schedule D- Creditors Holding Secured Claims	4
4	Schedule B - Personal Property	6

This request for judicial notice is made pursuant to Federal Rule of Evidence 201, made applicable to this proceeding by Federal Rule of Bankruptcy Procedure 9017.

Dated: 11.30.10

MEEGAN, HANSCHU & KASSEN BROCK

By:   
Attorneys for the Trustee

In re Paul Sandner Moller and Rosa Maria Moller,  
Debtor(s)Case No. \_\_\_\_\_  
(if known)**SCHEDULE A-REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether the husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

**Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G-Executory Contracts and Unexpired Leases.**

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband—H Wife—W Joint—J Community—C	Current Value of Debtor's Interest, in Property Without Deducting any Secured Claim or Exemption	Amount of Secured Claim
1222 Research Park Dr, Davis CA 95618 Commercial Property	Joint Tenants	J	\$ 4,900,000.00	\$ 4,000,000.00
9350 Currey Rd, Dixon CA 95620 Residence	Fee Simple	H	\$ 1,500,000.00	\$ 977,749.00
9341 Currey Rd, Dixon CA 95620	Fee Simple	H	\$ 1,250,000.00	\$ 883,924.00

No continuation sheets attached

**TOTAL \$**  
(Report also on Summary of Schedules.)

7,650,000.00

# RELIEF FROM STAY INFORMATION SHEET

\* \* SEE IMPORTANT INSTRUCTIONS ON FORM EDC 3-468-INST \* \*  
PLEASE COMPLETE ALL PORTIONS APPLICABLE TO THE RELIEF FROM STAY MOTION

DEBTOR: Paul and Rosa Moller CASE NO. 09-29936

MOVANT: Bay Area Financial Corporation DC NO. SCC1

HEARING DATE/TIME: February 16, 2010 at 9:30 am

RELIEF IS SOUGHT AS TO (✓) REAL PROPERTY ( ) PERSONAL PROPERTY ( ) STATE COURT LITIGATION

1. Address OR description of property or state court action 9350 Currey Road, Dixon, CA

2. Movant's trust deed is a ( ) 1st ( ) 2nd (✓) 3rd ( ) Other: \_\_\_\_\_

OR

Leased property is (✓) Residential ( ) Non-residential Term: ( ) Month-to-Month ( ) Other

3. Verified appraisal filed? yes Movant's valuation of property \$ 1,150,000

4. The following amounts are presently owing to movant for:

PRINCIPAL	INTEREST	COSTS	TOTAL
\$ <u>326,202.17</u>	\$ <u>30,571.00</u>	\$ <u>1,400.00</u>	\$ <u>358,173.49</u>

5. State identity, rank, and balance owing to other known lien holders. Use additional page if necessary.

Morgan Stanley \$ 390,208.00

U.S. Bank National Association \$ 166,323.00

Victoria Schlechter \$ 109,000.00

TOTAL ALL LIENS \$ 1,023,739.00

DEBTOR'S EQUITY \$ 126,261.00

FOR COURT USE ONLY

Note date: \_\_\_\_\_

Note amount: \_\_\_\_\_

Note payment: \_\_\_\_\_

FOR COURT USE ONLY

6. Monthly payment is \$ \*, of which \$ \_\_\_\_\_ is for impound account. Monthly late charge is \$ \_\_\_\_\_.

7. The last payment by debtor was received on February 2008 and was applied to the payment due \*.

8. Number of payments past due and amount: (a) Pre-petition \$ all (b) Post-petition \$ all.

9. Notice of Default was recorded on n/a. Notice of sale was published on n/a.

10. If a chapter 13 case, in what class is this claim? n/a

11. Grounds for seeking relief (check as applicable):

(✓) Cause ( ) Inadequate protection (✓) Lack of equity ( ) Lack of insurance ( ) Bad faith

(✓) Other Property not necessary for reorganization

12. For each ground checked above furnish a brief supporting statement in the space below.

see MRAS

\* all amounts are due

In re Paul Sandner Moller and Rosa Maria Moller  
Debtor(s)Case No. \_\_\_\_\_  
(if known)**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is the creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H – Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

Creditor's Name and Mailing Address Including ZIP Code and Account Number (See Instructions Above.)	Co-Debtor H-Husband W-Wife J-Joint C-Community	Date Claim was Incurred, Nature of Lien, and Description and Market Value of Property Subject to Lien	Contingent	Unliquidated	Disputed	Amount of Claim Without Deducting Value of Collateral	Unsecured Portion, if Any
Account No: 5407 Creditor # : 1 Bay Area Financial 12400 Wilshire Blvd Ste. 230 Los Angeles CA 90025	C	Unknown 9350 Currey Rd, Dixon CA 95620 Value: \$ 1,500,000.00				\$ 312,218.00	\$ 0.00
Account No: N/A Creditor # : 2 Dana & Edward Foss 9341 Currey Rd Dixon CA 95620	C	May 2007 9341 Currey Rd, Dixon CA 95620 Value: \$ 1,250,000.00				\$ 225,000.00	\$ 0.00
Account No: 8092 Creditor # : 3 Exchange Bank PO Box 760 Santa Rosa CA 95402	J	January 2007 1222 Research Park Dr, Davis CA 95618 Value: \$ 4,900,000.00				\$ 3,300,000.00	\$ 0.00
<b>Subtotal \$</b> (Total of this page) <b>Total \$</b> (Use only on last page)						\$ 3,837,218.00	\$ 0.00

1 continuation sheets attached

(Report also on Summary of Schedules.)

(If applicable, report also on Statistical Summary of Certain Liabilities and Related Data)

In re Paul Sandner Moller and Rosa Maria Moller

Case No. \_\_\_\_\_

Debtor(s)

(if known)

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

(Continuation Sheet)

Creditor's Name and Mailing Address Including ZIP Code and Account Number (See Instructions Above.)	Co-Debtor H-Husband W-Wife J-Joint C-Community	Date Claim was Incurred, Nature of Lien, and Description and Market Value of Property Subject to Lien	Contingent	Unliquidated	Disputed	Amount of Claim Without Deducting Value of Collateral	Unsecured Portion, If Any
Account No: 0828 Creditor # : 4 Morgan Stanley PO Box 163405 Fort Worth TX 76161	C	May 2003 9350 Currey Rd, Dixon CA 95620 Value: \$ 1,500,000.00				\$ 390,208.00	\$ 0.00
Account No: 9531 Creditor # : 5 NoteWorld PO Box 34055 Seattle WA 98124	C	Oct. 2007 9341 Currey Rd, Dixon CA 95620 Value: \$ 1,250,000.00				\$ 350,000.00	\$ 0.00
Account No: 4003 Creditor # : 6 Sterling Pacific 1205 Freedom Blvd Suite 2 Watsonville CA 95076	C	April 2007 1222 Research Park Dr, Davis CA 95618 Value: \$ 4,900,000.00				\$ 700,000.00	\$ 0.00
Account No: 8991 Creditor # : 7 U.S. Bank PO Box 64799 Saint Paul MN 55164	C	Unknown 9350 Currey Rd, Dixon CA 95620 Value: \$ 1,500,000.00				\$ 166,323.00	\$ 0.00
Account No: Creditor # : 8 Victoria Schlechter 642 Jerome Street Davis CA 95616	C	Unknown 9350 Currey Rd, Dixon CA 95620 Value: \$ 1,500,000.00				\$ 109,000.00	\$ 0.00
Account No: 7873 Creditor # : 9 Washington Mutual PO Box 78148 Phoenix AZ 85062	C	Unknown 9341 Currey Rd, Dixon CA 95620 Value: \$ 1,250,000.00				\$ 308,924.00	\$ 0.00

Sheet no. 1 of 1 continuation sheets attached to Schedule of Creditors

Holding Secured Claims

Subtotal \$

\$ 2,024,455.00

\$ 0.00

(Total of this page)

Total \$

\$ 5,861,673.00

\$ 0.00

(Use only on last page)

(Report also on Summary of Schedules.)

(If applicable, report also on Statistical Summary of Certain Liabilities and Related Data)

In re Paul Sandner Moller and Rosa Maria Moller

Debtor(s)

Case No. \_\_\_\_\_

(if known)

**SCHEDULE B-PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "X" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether the husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petitioner is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

**Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G-Executory Contracts and Unexpired Leases.**

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Type of Property	None	Description and Location of Property	Husband—H Wife—W Joint—J Community—C	Current Value of Debtor's Interest, in Property Without Deducting any Secured Claim or Exemption
1. Cash on hand.	X			
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.	X			
3. Security deposits with public utilities, telephone companies, landlords, and others.	X			
4. Household goods and furnishings, including audio, video, and computer equipment.		Computer and TV Location: In debtor's possession	C	\$ 5,000.00
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6. Wearing apparel.		Clothes Location: In debtor's possession	C	\$ 3,000.00
7. Furs and jewelry.		Jewelry Location: In debtor's possession	C	\$ 2,000.00
8. Firearms and sports, photographic, and other hobby equipment.	X			
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			
10. Annuities. Itemize and name each issuer.	X			
11. Interest in an education IRA as defined in 26 U.S.C. 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. 521(c).)	X			

In re Paul Sandner Moller and Rosa Maria Moller

Case No. \_\_\_\_\_

Debtor(s)

(if known)

**SCHEDULE B-PERSONAL PROPERTY**

(Continuation Sheet)

Type of Property	N o n e	Description and Location of Property	Husband--H Wife--W Joint--J Community--C	Current Value of Debtor's Interest, in Property Without Deducting any Secured Claim or Exemption
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	X			
13. Stock and interests in incorporated and unincorporated businesses. Itemize.		<i>Stock- Freedom Motors</i>	C	\$ 33,982,950.00
		<i>Location: In debtor's possession</i>		
		<i>Stock- Moller International</i>	C	\$ 4,444,994.00
		<i>Location: In debtor's possession</i>		
14. Interests in partnerships or joint ventures. Itemize.	X			
15. Government and corporate bonds and other negotiable and non-negotiable instruments.	X			
16. Accounts Receivable.	X			
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			
19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property.	X			
20. Contingent and non-contingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
22. Patents, copyrights, and other intellectual property. Give particulars.	X			
23. Licenses, franchises, and other general intangibles. Give particulars.	X			
24. Customer lists or other compilations containing personally identifiable information (as described in 11 U.S.C. 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25. Automobiles, trucks, trailers and other vehicles and accessories.		<i>2002 BMW</i>	C	\$ 8,000.00
		<i>Location: In debtor's possession</i>		

In re Paul Sandner Moller and Rosa Maria Moller

Debtor(s)

Case No. \_\_\_\_\_

(if known)

**SCHEDULE B-PERSONAL PROPERTY**

(Continuation Sheet)

Type of Property	N o n e	Description and Location of Property	Husband--H Wife--W Joint--J Community--C	Current Value of Debtor's Interest, in Property Without Deducting any Secured Claim or Exemption
26. Boats, motors, and accessories.	X			
27. Aircraft and accessories.	X			
28. Office equipment, furnishings, and supplies.	X			
29. Machinery, fixtures, equipment and supplies used in business.	X			
30. Inventory.		<i>Organic Almond Butter</i> <i>Location: In debtor's possession</i>	C	\$ 60,000.00
31. Animals.	X			
32. Crops - growing or harvested. Give particulars.		<i>Almonds Growing</i> <i>Location: In debtor's possession</i>	C	\$ 40,000.00
33. Farming equipment and implements.		<i>Farm Equipment</i> <i>Location: In debtor's possession</i>	C	\$ 20,000.00
34. Farm supplies, chemicals, and feed.		<i>Fuel</i> <i>Location: In debtor's possession</i>	C	\$ 1,000.00
35. Other personal property of any kind not already listed. Itemize.	X			